

VACATION

Declaratory  
Improvement Res. No. 903-1955

Which provides for the vacation  
of the alley between Lewis Street  
and Douglas Avenue from the west  
property line of Lafayette Street  
to the west property line of Lot  
No. 5, Hamilton's 1st Addition.

Resolution Adopted:

Feb. 1, 1955

Confirmed:

March 3, 1955

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

April 7, 1955

For the Vacation — ~~Opening — Condemnation of right of way for utility purposes~~ of the alley between Lewis Street and Douglas Avenue from the west property line of Lafayette Street to the west property line of Lot No. 5, Hamilton's 1st Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Lewis Street and Douglas Avenue from the west property line of Lafayette Street to the west property line of Lot No. 5, Hamilton's 1st Addition.

All as shown by a plan of such proposed ~~Opening — Vacation — Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation — ~~Opening — Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation — Opening — Condemnation of right of way for utility purposes~~ is described as follows: Lots 5 to 12 inclusive, Hamilton's 1st Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by <sup>SAY</sup> above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplement <sup>S</sup> thereof.

The vacation of the above described ~~Street and alley~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Eleven, Township 30 north, Range 12 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 1st DAY OF February 1955.

Attest:

Secretary Board of Public Works.

*C. L. Sullivan*  
*Frank K. Ross*  
*John M. Darling*  
Board of Public Works.

## 60 BARR STREET

48.25	"	"	"	"	"	"	"	"	48.25
153	1	2	3	4	5	6	7	ADDITION	153
								VACATED	TO BE VACATED
153	16	15	14	13	12	11	10		
48.25	"	"	"	"	"	"	"		48.25

60 DOUGLAS AVENUE 60

886

903  
JAN 27 1955

ER INSURANCE AGENCY  
Y Street  
" Executors - Administrators  
Contractors Bonds " Real Estate  
OF DEPENDABLE SERVICE"

Verbal report from  
Mr Robert Y Adams  
"no specific objections"  
Jan. 25th, 1955  
H.S.

*Plan & Spec*

## HELMKE, PHILIPS & BEAMS

ATTORNEYS AT LAW

417-423 STANDARD BLDG.

FORT WAYNE 2, INDIANA

WALTER E. HELMKE  
PAUL W. PHILIPS  
GLEN J. BEAMS  
WALTER P. HELMKE

January 24, 1955

Board of Public Works  
City of Fort Wayne  
City Hall  
Fort Wayne, Indiana

Re: Alley Vacation

Gentlemen:

The School City of Fort Wayne has now acquired title to the entire block bounded by Lewis Street, Lafayette Street, Douglas Street and Barr Street, with the exception of the tract at the southwest corner of Lewis and Lafayette Streets, having a frontage of 8 $\frac{1}{4}$  feet on Lafayette Street and of approximately 100 feet on Lewis Street.

Some months ago, at the request of the School City, you vacated the 14-foot alley running from Barr Street to Lafayette Street, between Lewis Street and Douglas Street, to the extent that the same was bounded on both sides by property owned by the School City, that is to say, the west half thereof.

Since the School City now owns all of the property abutting the remainder or east half of this alley, on behalf of the School City it is requested that appropriate steps now be taken to vacate the remainder of this alley.

The alley may be accurately described as follows:

"The 14-foot alley abutting upon and lying immediately south of Lots 5, 6, 7 and 8, and abutting upon and lying immediately north of Lots 9, 10, 11 and 12, in Allen Hamilton's Addition to the City of Fort Wayne, the same lying between Lewis and Douglas Streets and running westward from Lafayette Street."

Board of Public Works  
January 24, 1955  
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At the time that the western portion of the foregoing alley was vacated, you reserved therein an easement for an existing sewer line. It is assumed that such a reservation would likewise be appropriate for the eastern portion of the alley when it is vacated.

Also, at the time that the western portion of this alley was vacated, the School City agreed to dedicate to the Civil City a new alley, running north and south, over the west 1 $\frac{1}{4}$  feet of Lot 5 in Allen Hamilton's Addition. The purpose of this was to provide an outlet for the remaining eastern portion of the alley. At that time, the School City had not planned to acquire ownership of the remainder of the block which the alley intersects. Since the School City has now acquired the remainder of the block, except the corner property at Lewis and Lafayette Streets, and now owns all of the property abutting on both sides of the remainder of the alley, it is assumed that the delivery of the Deed dedicating the new north-south alley is no longer appropriate. If you concur in this assumption, this Deed, which is presently in my possession, will be returned to the Board of Trustees of the School City and destroyed.

During the next two months, the School City will be taking steps to cause the remaining houses on the block in question to be removed. Thereafter, the basement vaults will be filled, the ground graded and the area prepared for a running track and athletic field for Central High School. Consequently, it will be appreciated if the necessary steps to vacate the alley in question can be undertaken at your early convenience, in order that the School City may proceed with its development plans.

Sincerely yours,

HELMKE, PHILIPS & BEAMS

  
Paul W. Philips

PWP/bll  
cc: School City of Fort Wayne  
Att'n: Mr. A. T. Lindley

Rec. No. 903

VACATION

**Petition for Passage**

of a Resolution for

the vacation of the 14 ft.  
alley abutting upon and  
lying immediately south  
of Lots 5, 6, 7 and 8,  
and abutting upon and lying  
immediately north of Lots 9,  
10, 11 and 12, in Allen  
Hamilton's Addition to the  
City of Fort Wayne, the  
from same lying between Lewis  
and Douglas Streets and  
running westward from  
to Lafayette Street.

Filed with the Board of Public Works

Re: R. Y. Adams - 1/25/55  
Ans Ordered: Jan. 25, 1955



# P E T I T I O N

—o—  
Fort Wayne, Ind., \_\_\_\_\_

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real  
estate on \_\_\_\_\_, from  
\_\_\_\_\_ to \_\_\_\_\_  
respectfully petition for the passage of a resolution providing for the

903